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SUPREME COURT  
OF THE STATE OF WASHINGTON

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CERTIFICATION FROM UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE  
(CASE NO. C10-05523 JCC)

KEVIN SELKOWITZ,

*Plaintiff,*

v.

LITTON LOAN SERVICING LP, *et al* ,

Defendants,

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**RESPONSE BRIEF OF DEFENDANT  
LITTON LOAN SERVICING LP,**

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Robert W. Norman Jr., ESQ.  
Charles T. Meyer, ESQ.  
HOUSER & ALLISON, APC  
9970 Research Drive  
Irvine, CA 92618  
(949) 679-1111  
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*Counsel for Defendant, Litton Loan Servicing LP*

ORIGINAL

## 1. INTRODUCTION

This proceeding is before the Court as a result of an Order Certifying Question to the Washington Supreme Court, issued by the Honorable John C. Coughenour of the United States District Court for the Western District of Washington on June 24, 2011. The Certification Order was issued in two related cases – *Selkowitz v. Litton Loan Servicing LP, et al.*, Case No. C10-5523 (*Selkowitz*), and *Bain v. Metropolitan Mortgage. Group, Inc., et al.*, Case No. C09-0149 (“*Bain*”). Litton Loan Servicing, LP is the loan servicer for Plaintiff, Kevin Sekowitz, and a named Defendant in that case. Co-Defendant, Mortgage Electronic Registration Systems, Inc. (“MERS”) has submitted a Response Brief in both the *Selkowitz* and *Bain* cases. Litton Loan Servicing LP, hereby respectfully joins the Response Brief filed by its Co-Defendant MERS in the *Selkowitz* case.

S/Charles T. Meyer

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**DECLARATION OF SERVICE**

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The undersigned declares as follows:

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On October 20, 2011, I served the foregoing document on the following individuals by U.S. Mail, Postage Prepaid:

**DEFENDANT, LITTON LOAN SERVICING, LP's RESPONSE BRIEF**

To all Parties listed on **Exhibit A**.

/s/ Courtney Hershey  
Courtney Hershey

# EXHIBIT A

|  |  |
|--|--|
| Richard Llewelyn Jones<br>RICHARD LLEWELYN JONES P.S.<br>2050 112th Avenue NE, Suite 230<br>Bellevue, WA 98004-2976<br>Fax: 425.450.0249<br><a href="mailto:rlj@mjp1lc.com">rlj@mjp1lc.com</a><br><br><i>Counsel for Plaintiff Kevin Selkowitz</i>   | <input checked="" type="checkbox"/> Via U.S. Mail<br><input type="checkbox"/> Via Facsimile<br><input type="checkbox"/> Via Hand-Delivery<br><input type="checkbox"/> Via CM/ECF Delivery<br><input type="checkbox"/> Via E-mail |
| Ann T. Marshall<br>Kennard M. Goodman<br>BISHOP WHITE MARSHALL<br>& WEIBEL P.S.<br>720 Olive Way, Suite 1201<br>Seattle, WA 98101-1878<br>Fax: 206.622.0354<br><a href="mailto:amarshall@bwmlegal.com">amarshall@bwmlegal.com</a><br><a href="mailto:kgoodman@bwmlegal.com">kgoodman@bwmlegal.com</a><br><br><i>Counsel for Defendant First American<br/>Title Insurance Company</i> | <input checked="" type="checkbox"/> Via U.S. Mail<br><input type="checkbox"/> Via Facsimile<br><input type="checkbox"/> Via Hand-Delivery<br><input type="checkbox"/> Via CM/ECF Delivery<br><input type="checkbox"/> Via E-mail |
| Heidi E. Buck<br>13555 SE 36th Street, Suite 300<br>Bellevue, WA 98006-1489<br>Fax: 425.283.5968<br><a href="mailto:hbuck@rcolegal.com">hbuck@rcolegal.com</a><br><br><i>Counsel for Defendants Litton Loan<br/>Servicing, L.P. and Mortgage Electronic<br/>Registration Systems, Inc.</i>   | <input checked="" type="checkbox"/> Via U.S. Mail<br><input type="checkbox"/> Via Facsimile<br><input type="checkbox"/> Via Hand-Delivery<br><input type="checkbox"/> Via CM/ECF Delivery<br><input type="checkbox"/> Via E-mail |
| Mary Stearns<br>MCCARTHY & HOLTHUS, LLP<br>19735 10th Avenue NE, Suite N200<br>Poulsbo, WA 98370-7478<br>Fax: 206.780.6862<br><a href="mailto:marystearns@q.com">marystearns@q.com</a><br><br><i>Counsel for Defendants New Century<br/>Mortgage Corporation and Quality Loan<br/>Service Corporation of Washington</i>  | <input checked="" type="checkbox"/> Via U.S. Mail<br><input type="checkbox"/> Via Facsimile<br><input type="checkbox"/> Via Hand-Delivery<br><input type="checkbox"/> Via CM/ECF Delivery<br><input type="checkbox"/> Via E-mail |

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| <p>Robert Norman, Jr.<br/>HOUSER &amp; ALLISON<br/>9970 Research Drive<br/>Irving, CA 92618<br/>Fax: 949.679.1112<br/><a href="mailto:bnorman@houser-law.com">bnorman@houser-law.com</a></p> <p>Charles Thomas Meyer<br/>HOUSER &amp; ALLISON<br/>9970 Research Drive<br/>Irving, CA 92618<br/>Fax: 714.703.1610<br/><a href="mailto:cmeyer@houser-law.com">cmeyer@houser-law.com</a></p> <p><i>Counsel for Defendant Litton Loan<br/>Servicing LP</i></p> | <p><input checked="" type="checkbox"/> Via U.S. Mail<br/><input type="checkbox"/> Via Facsimile<br/><input type="checkbox"/> Via Hand-Delivery<br/><input type="checkbox"/> Via CM/ECF Delivery<br/><input type="checkbox"/> Via E-mail</p> |
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